

REMARKS

Applicants have received a Notice of Incomplete Reply (Nonprovisional), dated November 19, 2001, in connection with the above-identified application. In response to the Notice, Applicants submit herewith a Sequence Listing in paper and computer readable form pursuant to 37 C.F.R. §1.821(c), (d) and (e).

Pursuant to 37 C.F.R. § 1.821(f), the content of the paper and computer readable copies of the Sequence Listing submitted herewith are the same. No new matter has been added.

The amendments provided herein correct a minor typographical error and add sequence identifier numbers. A marked-up version of these amendments is attached hereto as Exhibit A. Applicants respectfully request entry of these amendments, the accompanying Sequence Listing, and the foregoing remarks into the file of the instant application.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to PENNIE & EDMONDS LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date December 7, 2001



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Enclosures

EXHIBIT A
AMENDMENTS
APPLICATION NO. 09/816,150, DOCKET NO. 9584-018

Specification

Please replace the paragraph at lines 6-16 of page 1 with the following:

2. BACKGROUND OF THE INVENTION

Since the development of the Polymerase Chain Reaction (PCR), the demand for fast, reliable, and cost-effective tests for the detection of specific nucleic acid sequences has led to the development of a variety of new assay techniques. One of these, referred to as the INVADER™ (a trademark of Third Wave Technologies, Madison, [Wisconsin] Wisconsin) Assay, Invasion Cleavage Assay, or Invasion Assay, does not require the use of PCR. Invasion assays are highly sensitive and can be used to determine, for example, single-base differences of specific nucleotide targets. *See, e.g., Lyamichev, V., et al., Nature Biotech. 17:292-296 (1999); and Ryan, D., et al., Molecular Diag. 4(2):135-144 (1999), each of which is incorporated herein by reference.*

Please replace the paragraph bridging pages 3 and 4 beginning at line 26 of page 3 with the following:

FIG. 1B provides an example of a target region and the cleavage structures resulting [from] from the overlap of 0, 1, 3, 5, and 8 nucleotides and the structure of a probe and five invader oligonucleotides (SEQ ID NOS. 1-7). The underlined nucleotides at the 3' end of the invader oligonucleotides indicate the extent of the overlap with the probe oligonucleotide. The labeled arrows above the probe show the cleavage points induced by each invader oligonucleotide. The star indicates a fluorescent label. *See Lyamichev, V., et al., Nature Biotech. 17:292-296 (1999).*